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Forty-first session

SUMMARY RECORD OF THE 458th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 3 October 1990, at 3 p.m.

Chairman: Mr. AZIKIWE (Nigeria)

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General debate (continued)

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The meeting was called to order at 3.15 p.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. NGUYEN LUONG (Observer for Viet Nam) reaffirmed his Government's position of principle that the issue of asylum-seekers was a humanitarian issue and therefore needed a humanitarian approach. Turning to the question of asylum-seekers from Viet Nam, he expressed his delegation's understanding and sympathy to the first-asylum countries in connection with the difficulties they were experiencing and reassured them that Viet Nam would continue to do everything possible within the framework of the Comprehensive Plan of Action (CPA) with a view to solving that problem. His country had always clearly stated its support for the full implementation of CPA and was doing its utmost to fulfil its obligations in that regard.

2. With respect to the issue of preventing illegal departures, he said that in carrying out the provisions of his country's Penal Code, Viet Nam had launched, in co-operation with UNHCR, a major campaign aimed at providing people with information on the policies of first-asylum countries and the dangers at sea. Organizers of illegal departures had been severely punished. In order to reduce the temptation for such departures, his Government had expanded the Orderly Departure Programme (ODP). While 43,177 persons had left the country under ODP in 1989, the figure for the first eight months of 1990 alone was 41,148. However, his country was not able to halt illegal departures entirely, since the sea coast was too long for totally effective control, its facilities were limited and ODP procedures applied by some countries were still complicated. Last but not least, the expansion of the programme of departures for former re-education camp inmates and their dependants had not been as fast as expected, thereby producing a considerable backlog.

3. He expressed his country's appreciation of the assistance given by international and non-governmental organizations within the framework of development programmes for localities of many potential emigrants aimed at improving living conditions and thus putting an end to illegal departures. He also expressed his country's appreciation of the initiative taken by the European Community to assist the reintegration of returnees in Viet Nam.

4. By the end of September 1990, 4,492 persons had been voluntarily repatriated from Hong Kong, 202 from Malaysia, 59 from the Philippines, 47 from Indonesia and 102 from Thailand. On 21 September 1990 in Hanoi, Viet Nam, the United Kingdom, Hong Kong and UNHCR had signed a joint statement providing for formalities to promote voluntary repatriation and preparations for the repatriation of those who, while not volunteering to return to Viet Nam, were not opposed to repatriation. In that connection, he stressed the importance of UNHCR's participation in the process, to ensure that there was no forced repatriation. It should also be pointed out that returnees in that category enjoyed the same treatment and assistance as voluntary returnees.

5. Viet Nam was prepared to hold bilateral discussions with ASEAN countries on the repatriation of people not opposing repatriation.

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6. In order to prevent illegal departures and to relieve the first-asylum countries of their burden, Viet Nam was studying the possibility of establishing a "holding centre" or such a centre of some other form in Viet Nam.

7. In conclusion, he expressed his Government's gratitude to the various countries and organizations for their valuable assistance and co-operation.

8. Mr. TABAPABAEE (Islamic Republic of Iran) said that the question of refugees at the turn of the decade and particularly in recent years had acquired new and more complex dimensions. In the first decades after World War II, the international community had been confronted with the influx of refugees in Europe and the question had arisen of how to help them to begin a new life in another country. After several decades, the problem had become more complicated and the solution had proved to be more and more elusive. Such an undesirable situation placed great responsibilities on UNHCR, which had to look for ways and means to respond adequately to the challenge.

9. The financial crisis was of considerable concern to his country which was still grappling with one of the biggest refugee loads in the world. The purposeful reduction in contributions to UNHCR by some countries lay at the root of the current financial crisis. The measures which had been adopted following the emergence of the situation might present the easiest way out, but they were certainly not the best.

10. The needs of refugees should be the basic criterion by which to determine the UNHCR budget. Yet, according to statements made by UNHCR officials, the budget at the present time met only a small part of refugee needs. Repeated downward budget adjustment had already had a negative impact on the refugee-hosting countries, the refugees themselves and the credibility of UNHCR. The number of refugees had increased considerably while the level of the general budget was decreasing; that was in clear conflict with the provisions of paragraph 39 (g) of the report of the Temporary Working Group (A/AC.96/743) adopted by the Executive Committee at its extraordinary session in May 1990.

11. In his country, the second biggest refugee-hosting nation in the world, received a very meagre share of international assistance. In recent years, that share had been unfavourably revised, which created not only insurmountable difficulties for assistance programmes but also serious obstacles for the voluntary repatriation process. For the refugees, reduced assistance constituted an attempt to force them to return to their country.

12. In recent years, the Islamic Republic of Iran had maintained its supportive position with regard to the repatriation of Afghan refugees and had extended its co-operation to the UNHCR and UNOCA in that regard. It had proposed the creation of a working group with the participation of all parties concerned to elaborate the practical terms of that operation. It believed that the repatriation of Afghan refugees, at least from the Islamic Republic of Iran, involved social, economic, cultural and legal aspects and therefore called for in-depth assessment, planning and co-ordination.

13. The Iraqi Kurdish and Arab refugees in the Islamic Republic of Iran were another important issue in its co-operation with the High Commissioner. It therefore welcomed the recent initiative taken by the High Commissioner to

dispatch a mission to examine the situation in situ. In the report to his Government's officials, the head of that mission had clearly indicated that the great majority of those people fell within the definition of refugee. It was earnestly hoped that a more concrete and organized assistance programme would be developed as soon as possible.

14. The South Khorasan Rangeland and Rehabilitation Project, a joint UNHCR/IFAD undertaking with the Iranian Government had not yet begun, owing to lack of funds, and was another matter of concern to his country. Its own contribution to the project amounted to $2 million and UNOCA had recently informed it of a contribution of $3,650,000, of which $0.5 to $1 million would be released as a first instalment for the commencement of the project. An urgent fund-raising effort was needed to make the first phase of the project operational.

15. The influx of foreign nationals into the Islamic Republic of Iran as a result of the recent crisis in the Persian Gulf had exacerbated the existing difficult situation. The Personal Representative of the Secretary-General and UNDRO had assumed direct responsibility in that regard. Nevertheless, his delegation would welcome any initiative taken by UNHCR to offer its experience and assistance. According to the latest information, a new and even larger influx could be expected and more assistance in the form of means of transportation, foodstuffs, clothes, tents and medicine would be needed at the earliest possible time.

16. Mrs. OSODE (Observer for Liberia) said that she wished at the outset to dispel any misgivings or speculation regarding her status as an observer at the current session. She was a civil servant and a concerned Liberian with no political affiliation who continued to represent Liberia as Chargé d'Affaires at the United Nations and other international organizations in Geneva. The Executive Committee of UNHCR was therefore an appropriate forum in which to emphasize the plight of her country and compatriots, a large number of whom had been killed or had died from lack of effective and prompt medical treatment, lack of food and poor nutrition.

17. Thousands of Liberians had been displaced locally and thousands more had fled to the neighbouring States of Côte d'Ivoire, Guinea, Sierra Leone and elsewhere in search of asylum. They faced an uncertain future and were suffering physically and mentally as a result of the civil war waging in their country. Indeed, all Liberians had been affected by that national tragedy.

18. Long before, Liberians had approached their traditional friends, who had appeared unwilling or unprepared to listen to their appeal for the use of moral, political and other influence to avert the build-up of what had led to brutal suffering, death and the destruction of resources. At the level of the international community, interest and concern in that connection had appeared ambivalent and response to the appeal for moral and financial support had been slow until recently. The international community had seemed to believe that the situation would improve in a matter of time whereas because of its precariousness, the situation may have deteriorated, perhaps stretching a matter of time to a matter of years.

19. For Liberians, their new status as refugees was quite new, since for decades Liberia had been a second home to many, including refugees, a number of whom had become integrated into society. Liberians had always considered

themselves a generous and accommodating people and their doors, opened wide to all foreigners, had often exposed them to sabotage, exploitation, criticism and ingratitude. Since its independence in July 1847 and until events in 1979 had led to the coup of 12 April 1980, Liberia had been without any serious upheavals and had been considered the citadel of freedom in Africa.

20. Information canvassed in the news media and supplemented by reliable eyewitness accounts of the war taking place in her country and its victims should spur the international community to a greater sense of emergency. Yet, a number of delegations were mute and a few had made only peripheral reference to the situation in and relating to Liberia. In her view, declarations were not as important as action and, specifically, generous contributions or pledges to the funds for the Liberian refugees and the taking of diplomatic initiatives.

21. She wished to express her gratitude to the High Commissioner for the human touch he had brought to his office and for his unfailing efforts in securing funds. Liberia had been one of the recipients of the High Commissioner's endeavours, in times of stringent budgetary management. While there was hardly a matter or issue raised at the current session on which she differed, she did not, however, think it wise to withhold funds from countries in which the authorities ignored provisions for basic security conditions. In her view, that could only hurt the refugees and probably back-fire. Demand should be made of all Governments, in the strongest possible terms, for guaranteed and defective security arrangements which must be respected. In that connection, she said that there was great need for a United Nations presence in Liberia.

22. She had noted a discrepancy in several United Nations documents in the statistics provided by several agencies with reference to the Liberian refugees. She hoped that it would not affect allocations in the 1990-1991 budget estimates.

23. She expressed her appreciation to those donors who had made known their pledges or contributions and those who remained anonymous. She also wished to express her gratitude to African regional and continental organizations for the important role they were playing in helping to return Liberia to stability and constitutional democracy. She thanked the relevant United Nations bodies, agencies and non-governmental organizations that had and were continuing to meet, as far as possible, all the needs of the Liberian refugees and locally displaced persons. She was especially grateful to UNDRO for providing her Mission with regular situation reports on Liberia during the course of the year.

24. The task at hand for her people and country was complex but it was not daunting and she trusted that with their own resolve and with the kind interest and concern of the international community, Liberia would return to its rightful rank in the community of nations.

25. Mr. AL-SARAWI (Observer for Kuwait) said that on 2 August 1990 Kuwait had been surprised by an attack of criminal and treacherous aggression perpetrated by Iraq, a neighbouring Arab State. That act had been carried out despite the fact that Iraq had always professed friendship and esteem for Kuwait, despite the fact that Kuwait, for its part, had spared no effort to assist Iraq in all its crises during the past 10 years. The aggression by the dictatorial Iraqi

régime against a peaceful country constituted a violation of all principles of international law, good-neighbourly relations and the treaties and conventions to which Iraq and Kuwait had become parties as members of the League of Arab States, the organization of the Islamic Conference and the United Nations. The aggression and invasion had been condemned and calls had been issued for Iraq's unconditional withdrawal from Kuwait and for the reinstatement of the legitimate Government represented by the Amir of Kuwait in the relevant resolutions of the League of Arab States, the Organization of the Islamic Conference and the Security Council.

26. The odious nature of the criminal aggression against Kuwait was made even more deplorable by the barbarous acts that accompanied that aggression. Those acts, which were rejected by Arab morality, international law and human conscience had consisted of burglary, rape, murder, the suppression of freedom and the terrorizing of the Kuwaiti population as well as foreign residents who had been subjected to harassment and forced to leave Kuwaiti territory. Consequently, large numbers of Kuwaiti citizens had sought refuge in Arab and other friendly States; without the generosity of those States, the responsibilities and tasks of the Executive Committee of UNHCR would undoubtedly have been greater.

27. He appealed to UNHCR to protect and assist Kuwaiti citizens now living outside their homeland. Kuwait which in the past had supported UNHCR programmes had been a land of peace where people from many countries had found work. It was to be feared that increasing numbers of people fleeing the Iraqi yoke would place further burdens on UNHCR. It would therefore be necessary to provide assistance for them in order to relieve the suffering caused by the iniquitous Iraqi régime. The people of Kuwait, under the leadership of their legitimate Government, were fully determined to defeat the aggression and to return as rapidly as possible to their homeland.

28. Mr. BLAVO (Observer for Ghana) joined previous speakers in paying tribute to the High Commissioner and his able staff for the great efforts they had made in providing assistance and protection for the world's 15 million refugees, and in seeking durable solutions for them. Faced with an ever-increasing case-load, but with diminishing resources, it would seem that the Office had been set a task, but denied the tools with which to accomplish it.

29. For African refugees in particular, the UNHCR's financial crisis could not have come at a worse time. Since the majority of refugees of the continent had sought asylum in countries with very fragile economies, the impact of the budgetary cuts on programmes had been severe, and in some cases, catastrophic. Such cuts had meant that it was no longer possible to stockpile emergency stores in countries prone to refugee influxes; they had also meant less water, less medical care, fewer educational facilities, and the neglect of infrastructures such as roads because they could no longer be maintained. It was in the light of that situation that his delegation would like to express its profound concern over the further cuts in assistance programmes made in 1990.

30. Ghana had in the past drawn attention to the plight of asylum countries, pointing out that despite tremendous odds, they had continued to show generosity to refugees by sharing with them their scanty national resources. The political, ecological and socio-economic impact of the refugee presence in

such countries had been devastating. Any further reductions in UNHCR programmes would thus not only adversely affect the quality of life of the refugees, but would create new problems for the countries hosting them. His delegation firmly believed that the solution to the problem lay in the provision of additional resources, and it therefore hoped that the international donor community, which in the past had been so responsive to refugee needs, would continue to support UNHCR programmes in the difficult years ahead.

31. Recent events in Liberia had led to an increase in refugee movements in the West African subregion, a part of Africa that had hitherto been relatively free of such movements. Although he appreciated the assistance given to hosting countries in the subregion, namely Côte d'Ivoire, Guinea and Sierra Leone, much still remained to be done. He wished to draw attention to the fact that since the outbreak of hostilities in Liberia, there had been a steady flow of Liberian refugees into Ghana. Although at first the figures had been insignificant, by the end of September numbers had been estimated as between 800 and 1,000, mainly women and children. The influx was continuing, and on the basis of present trends, the figure was likely to double by the end of the year.

32. Although Ghana did not share a border with Liberia, it had become host to that country's refugees because Liberians fleeing the current crisis were boarding Ghanaian vessels sent to evacuate Ghanaians and other foreign nationals from Monrovia. On humanitarian grounds, all Liberian refugees boarding such vessels were conveyed to Ghana, where they were given a warm welcome, not only by Government officials but also by the local people.

33. Although the Ghanaian authorities had until now succeeded in coping with the problem, in the long term assistance from the international community in both cash and kind would be needed. He wished to address an urgent appeal to United Nations agencies, to non-governmental organizations and to the international donor community to give support to Liberian refugees in Ghana.

34. His delegation shared the view that if the words refugee population was to be effectively helped, it was not enough simply to support UNHCR in providing assistance and protection and in seeking durable solutions: efforts should also be made to eliminate the root cause of refugee flows by actively promoting peace and development. In that endeavour, the international community could count on Ghana's fullest co-operation.

35. Mr. SAIGNAVONGS (Observer for the Lao People's Democratic Republic) said his delegation would confine his remarks to one subject, voluntary repatriation, which in its view offered the most realistic as well as the most durable solution to the problem of refugees.

36. Thanks to the efforts of UNHCR and of other agencies of the United Nations system, over 43,000 Namibians had been successfully repatriated to their newly independent country, and over 18,000 refugees returned to their countries of origin in Central America.

37. However, in other regions, the voluntary repatriation process, notably in the case of Afghan and Cambodian refugees, was encountering difficulties because of the complexity of the political situation. Although some positive steps had been taken to overcome those difficulties, the parties concerned

should show more of a spirit of co-operation and, most important of all, should agree to consider the refugee problem from the purely humanitarian viewpoint and avoid using refugees as destabilizing elements in their countries of origin.

38. Within the framework of the implementation of the Comprehensive Plan of Action for Indo-Chinese refugees, he was pleased to note that an agreement had been reached between the Vietnamese and the United Kingdom Governments and UNHCR concerning voluntary repatriation of non-refugees. That was a very positive step on the part of Viet Nam.

39. As far as Lao refugees were concerned, his Government had stated as long ago as 1975 that any persons who had left the country either out of fear of the new régime or because they had been deceived by hostile propaganda would be guaranteed a return to their homeland in dignity and security whenever they wished. They would also be given the opportunity to recover any property which had been taken into the custody of the State or of local authorities in their absence.

40. As part of that humanitarian policy, his Government had some years earlier concluded with UNHCR and the Thai Government an agreement on the voluntary repatriation of Lao refugees in Thailand. In addition, his Government was also prepared to accept the non-voluntary repatriation of refugees who under Thai law were regarded as illegal immigrants.

41. With the assistance of UNHCR, his Government was currently in a position to accept 300 returnees per month, and that number could be raised to 500 with the appropriate increase in assistance.

42. His Government was currently engaged in consultations with the Government of China concerning the voluntary repatriation of Lao refugees located in that country, 840 of whom had applied to return home. Once agreement had been reached with the Chinese authorities on detailed arrangements for the return of those persons, his country would inform UNHCR and request its assistance.

43. In June 1990 his country had also, at the request of UNHCR and with the agreement of the Thai authorities and of the Government of Cambodia, facilitated the voluntary repatriation of 15 Cambodian refugees from the camp of Khao-I-Dang by authorizing their transit through Lao territory. A further request for transit had been made by another group of Cambodian refugees, which his government had already granted. It had thus made a modest contribution to the cause of Cambodian refugees.

44. In conclusion, he would like to inform the Committee that his Government stood ready, as far as its means allowed, to co-operate with UNHCR in carrying out its humanitarian task. For its part, it relied on the Office for help in resettling Lao returnees and in facilitating their reintegration into the community in their own country.

45. He wished to take the opportunity to express his Government's sincere thanks to the European Economic Community (EEC) and to the Japanese Government, who were financing UNHCR projects currently being implemented in Laos. He hoped that they would continue to assist further such UNHCR projects in the future.

46. Mr. ELARABY (Observer for Egypt) said that the present grave situation in the Gulf region had compelled foreign nationals to flee Iraq and Kuwait in fear of their lives. Tens of thousands remained stranded in various countries in the Middle East awaiting repatriation; the highest proportion were Egyptians. Since the eruption of the present crisis, Egypt had remained in close touch with the High Commissioner, as well as with other United Nations agencies, with a view to monitoring developments, assessing needs and preparing possible plans of action.

47. The Office had promptly reinforced its presence in the region, with the aim of ensuring that persons at risk were identified and located so that their needs could be properly addressed. However, in a situation involving massive population movements it was not always feasible or possible to distinguish between refugees and non-refugees when people were in dire need of assistance. It was evident that the legal status of such individuals required re-examination. Although such a re-examination might give rise to legal difficulties, he believed that the interpretation and application of UNHCR's mandate should allow it to fulfil the humanitarian role for which it was intended.

48. In the light of recent developments in many parts of the world, notably in the Gulf region, it was imperative to consider extending the status of refugee to any individual who was compelled to flee his or her country of residence. The decision as to who was, or was not a refugee, should be taken on the basis of the current situation, and not on the basis of previous status. Thus, an individual's status of migrant worker - a status technically beyond the scope of UNHCR's mandate - should not be an insurmountable obstacle to providing him with protection if extraordinary circumstances such as war forced him to abandon his country of residence. As the High Commissioner himself had stated earlier that, although, bureaucratically, the situation of migrant workers posed a dilemma, since they were not strictly speaking refugees in need of international protection, there could be no dilemma in such a situation for a High Commissioner for Refugees whose mandate was humanitarian, whose policy was based on human rights, and who sought to protect and assist human victims.

49. If any lesson was to be learned from the current tragic events in the Gulf, it would certainly be the need for the international community to stand ready to respond and to intervene in a prompt and well co-ordinated manner to mitigate the human sufferings caused by such emergencies. That could only be achieved if the existing principles of law and doctrine relating to such emergencies were revised, and replaced with a new doctrine more in line with current realities. The conclusions contained in paragraph 26 of the Note of International Protection (A/AC.96/750) drew attention to the urgent need for developing new approaches for dealing with the changed size and scope of the refugee and asylum problem. His delegation was of the view that the working group on solutions and protection should seek to define clear guidelines that would enable the Office to respond with the necessary flexibility to emergency situations in the contemporary world.

50. Part I of document A/AC.96/751 clearly reflected the acute dimension of the African refugee problem. UNHCR's financial constraints had had profound implications both for refugees and for asylum countries in Africa, since reductions in funding had brought expenditure below the level necessary to meet basic needs, and development projects and educational opportunities had

been severely undermined. Asylum in Africa was always freely granted, and ethnic and cultural ties across national boundaries had greatly helped initial reception and assistance. Nevertheless, many asylum countries in Africa were among the world's least developed, and their economic hardships had increasingly strained traditional African hospitality. In addition, without special measures to meet the needs of areas affected by the presence of refugees, prospects for local integration and sustainable self-sufficiency were not favourable. Egypt therefore urged the international community to continue to show solidarity with asylum countries, and to provide additional resources that would enable the Office to respond adequately to the legitimate needs of millions of African refugees.

51. In conclusion, he pointed out that Egypt, for its part, was sparing no effort in seeking peaceful settlements to the disputes which were still one of the main causes of new flows of refugees on the African continent. The settlement of those disputes would undoubtedly create the necessary conditions for voluntary repatriation, which remained the only realistic solution for Africa's refugees.

52. Mr. NABI AMANI (observer for Afghanistan) expressed his Government's gratitude for the efforts made to set up facilities for the voluntary, regular and peaceful repatriation of Afghan refugees, both under the High Commissioner's programme and under the United Nations Humanitarian and Economic Assistance Programme Relating to Afghanistan (UNOCA), which had recently made it possible to begin the process of repatriating 40,000 families.

53. However, the failure to solve the problem of Afghan refugees, the failure to clarify the question of their return, and the failure to establish the machinery provided for under the fourth document of the Geneva Agreements, machinery which would have made it possible to find solutions, were all due to the refusal of Pakistan, one of the parties to the Geneva Agreements, to honour its undertakings. Pakistan's support for the pilot programme was nevertheless a positive step, which deserved mention.

54. Over the years, his Government had spared no efforts to assist the voluntary repatriation of Afghan refugees to their country, and, in that connection, had welcomed the High Commissioner's refugee programme. In its most recent communiqué the Government of Afghanistan had stated that it was ready, as far as its means permitted, to implement that programme. A committee consisting of high-ranking civil servants, under the chairmanship of the Prime Minister, had been set up for that purpose.

55. The voluntary return of Afghan refugees was seen as a major step towards the creation of a climate of consensus between the opposing forces in the country, a step which should make it possible to move on to the stage of dialogue between Afghans, a halt to the fratricidal war, the concluding of peace, and the rebuilding of Afghanistan.

56. Assistance to Afghan refugees on the part of fellow Afghans could be a sign of beneficent, pacifist and patriotic intent. On the other hand, the creation of obstacles to the return of Afghan refugee compatriots to their ancestral homeland could be a sign of enmity towards the Afghan population, and a sign of hostility to the establishing of peace in the country.

57. Experience had shown that since the initiation of the programmes of the High Commissioner and of UNOCA, serious obstacles had in fact prevented the voluntary return of refugees. Those obstacles were the combined creation of the intransigent attitude of certain armed groups and the political ambitions of certain individuals in high places.

58. Voluntary repatriation, which offered the most desirable solution for the problems of Afghan refugees, was being put at risk by the setting up by the opposition of military units in the Djam region on the Torkham-Peshawar road, in the Ali Masjed and Lavaleghi region on the Khaybar Agency road, and by the creation of a 30-strong mobile unit, under the command of Gulbuddin, to prevent the return of previously registered refugees. In addition, those armed groups were searching and arresting refugees, and pillaging and stealing their possessions and property.

59. The laying of mines on roads along which the refugees passed, carried out by the extremist and intransigent opposition army, was a new problem. Such mining had recently brought to a halt the repatriation of refugees in the province of Kandahar. He wished to draw the High Commissioner's attention to the urgent need for a solution to that problem.

60. His delegation wished to request the Office to find ways of transferring Afghan refugees from their camps to their home regions, using vehicles under United Nations protection. Such protection would ensure that any Afghan refugees who had property and assets could be resettled in complete safety. Such refugees would need assistance in the transport of their possessions. He supported the proposal by the Islamic Republic of Iran that a working group be set up, with the participation of all parties concerned, to help implement the UNOCA programme.

61. He assured members that his Government would provide all the necessary co-operation under the High Commissioner's programme for the voluntary repatriation of Afghan refugees, and thanked all those countries and international organizations which had given them assistance.

62. Mr. HASEGAWA (United Nations Volunteers) said that since Mr. Stoltenberg had taken up the post of High Commissioner, rapid progress had been made in consultations and an agreement had been concluded in March 1990 to recruit and field 21 United Nations Volunteers specialists, including 10 repatriation monitors and 2 protection officers to work in UNHCR assistance programmes in Somalia.

63. In his opening statement, the High Commissioner had referred to the implementation of the concerted Plan of Action of the International Conference on Central American Refugees (CIREFCA) as an excellent example of UNHCR and UNDP co-operation. Indeed, several UNV specialists had already been working in support of UNHCR assistance programmes in recent years in Honduras as repatriation programmes were now underway, UNVs would be supporting the Office in resettlement efforts in El Salvador.

64. At its thirty-seventh session in June 1990, the UNDP Governing Council had encouraged the Administrator to involve United Nations Volunteers in carrying out activities related to the provision of development assistance to refugees and returnees and specifically expressed its support for the use of United Nations Volunteers specialists in UNHCR's relief and rehabilitation activities.

65. Since 1974, United Nations Volunteers had worked with UNHCR, the Office of the United Nations Disaster Relief Co-ordinator (UNDRO), the World Food Programme (WFP) and more recently with the Office of the Co-ordinator for United Nations Humanitarian and Economic Assistance Programmes relating to Afghanistan (UNOCA). Close to 200 specialists had completed assignments in UNHCR-sponsored projects in Afghanistan, Djibouti, Honduras, Hong Kong, Malaysia, Pakistan, Somalia, southern Africa, Sudan, Uganda and in a wide range of sectors including health, shelter, protection, training, counselling, community development, administration and logistics. At present, about 40 United Nations Volunteers were serving in UNHCR programmes in Asia, Africa and Latin America and 37 more were engaged in Operation SALAAM.

66. There was no longer any need to stress the quality of UNV expertise and the cost-effectiveness of UNHCR-financed UNV assignments. The average yearly cost of United Nations Volunteers equalled only one quarter to one fifth of the cost of regular international experts. According to UNV estimates, in 1989, the international community availed itself of an additional $40 to 50 million as a result of savings realized from the recruitment of professionals and technicians who had made their services available on a volunteer basis.

67. Finding durable solutions to the problems of the world's 15 million refugees was a very serious challenge and the number of countries that would require relief and rehabilitation assistance was increasing. Cambodia, Afghanistan, Viet Nam, Sudan, Liberia and Somalia came immediately to mind and the task ahead was enormous. The United Nations Volunteers programme was prepared to further its association with UNHCR, UNDP and other partners for the benefit of disadvantaged populations.

68. Mr. OBAID (Observer for Iraq) said that his delegation was anxious that the meeting should proceed in a way which would enable it to achieve its objectives without being sidetracked to marginal issues. However, it seemed that some people did not want that. A little earlier a statement had been made by a person claiming to represent Kuwait; his delegation did not, however, recognize that representation.

69. The speaker had alleged that the former rulers of Kuwait had provided Iraq with aid during its so called crises whereas in fact those rulers had harboured ill feelings and spite towards Iraq and had taken every opportunity to exploit the circumstances of the war to expand at Iraq's expense and to steal its petroleum. They had conspired against it after the end of the war by damaging Iraq's economy and by endeavouring to bring the economy to its knees by pursuing a petroleum policy that was one-sided and tendentious.

70. That speaker's claims concerning the actions of Iraqi forces in Kuwait were total fabrications. Kuwaitis were part of the Iraqi people. As for the alleged thefts by Iraqi forces of the personal property of Kuwaitis, it had rather been the rulers of Kuwait who had stolen the property of the Kuwaiti people and transferred it in American and Western financial institutions and gambled with it in casinos.

71. The speaker had shed crocodile tears over the plight of the foreign workers who had left Kuwait but he completely forgot that those workers had been employed illegally in the informal labour sector and had lived in Kuwait

in inhuman conditions incompatible with the conventions concluded by Kuwait within the framework of the ILO.

72. The former leaders of Kuwait had amassed considerable wealth outside the country. He wished to ask whether the speaker could tell him what the former Government's contribution had been to supporting and financing UNHCR's humanitarian programmes on behalf of refugees in the world. In fact, those rulers had never given any thought to the plight of refugees. A small part of the extensive wealth of the former rulers of Kuwait, estimated at $60 billion, would suffice to resolve the refugee problem throughout the world, including the problems of those who were suffering as a result of the Gulf crisis.

73. Iraq had not forced anyone to leave Kuwait. The workers who had left had done so only because of the tension created by the occupation of the region by hundreds of thousands of foreign troops who were threatening to launch a war which would destroy the whole region in order to achieve their imperialist objectives.

74. Mr. AL-SARAWI (Observer for Kuwait) said that he was aware of the mandate of the Executive Committee.

75. He wished to raise only four points. First, it was regrettable that the representative of Iraq had spoken outside the framework of international legitimacy in saying that he did not recognize the State of Kuwait. Second, foreign workers in Kuwait had enjoyed extensive protection and freedom. Everyone was aware of that and of the extent of welfare arrangements in Kuwait. Third, the ICRC had not been allowed by the Iraqi authorities to send a delegation to Kuwait in accordance with Iraq's obligation under the fourth Geneva Convention. The ICRC had requested permission to send a mission to report on the situation of Kuwaiti nationals and of other persons residing in Kuwait but the Iraqi authorities had rejected the Committee's application. Fourth, the Secretary-General of the United Nations had tried to send a representative to Kuwait in order to appraise the situation of the persons living there but he had not been able to do so.

76. Mr. PURCELL (International Organization for Migration (IOM)) said that his organization co-operated frequently with UNHCR on programmes dealing with refugee resettlement or voluntary repatriation. In fact, the majority of the over four million people that IOM had helped to migrate, had been refugees or persons in refugee-like situations. As a result, close links had developed between the two organizations and could be expected to grow stronger in the future.

77. Such co-operation would have to take place in mutual respect of mandates, in a spirit of complementarity and should be based on constant dialogue. He was pleased that the dialogue which had for long characterized IOM/UNHCR relations had been taken up with vigour by the High Commissioner.

78. His organization had been pleased to participate in the Temporary Working Group and task force that had examined the question of inter-agency co-operation. It had been particularly pleased to observe the commitment and support given by the members of the Executive Committee to efficient inter-agency co-operation. IOM welcomed that development and had already begun co-operation in areas as diverse as the two organizations' respective

responsibilities under the Orderly Departure Programme from Viet Nam, joint approaches to the needs of returning Chileans and consultations on new migration trends in Europe.

79. The changes taking place in the world would inevitably be reflected in movements of people. Too many of those people would be refugees fleeing persecution. Others would be persons fleeing poverty or migrating for other reasons or a mixture of reasons. The issue of how the international community would organize itself to analyse and address the issue of changing migration trends and motives was without doubt one of the major questions of the 1990s. Such issues, affecting as they did the entire international system and a broad spectrum of migrants, including refugees, must be looked at system-wide. IOM was fully prepared to play its part in such a global analysis.

80. Mr. de COURTEN (International Committee of the Red Cross) said that his organization, which had been carrying out its humanitarian activities for many decades in all parts of the world, shared concern about the serious and complex problem of displaced persons and refugees. Acting in complementarity with UNHCR, it was determined to discharge the mandate entrusted to it by the international community.

81. The ICRC was disturbed at the dimension of the population flows which for many years had affected several developing countries, as well as Europe and Eastern Europe in particular. It supported UNHCR's efforts to find a durable solution to the problem of refugees and was pleased to note the new emphasis given to prevention. ICRC considered that the application of international humanitarian law helped to restore and maintain peace, as did its work on behalf of the victims, which frequently enabled new refugee flows to be averted. In that spirit the ICRC appealed to all the parties concerned so that it would be enabled to discharge its mandate in the present Gulf crisis, which had already triggered off large flows of displaced persons.

82. The ICRC wished to recall that the refugee, as a civilian victim of hostilities, could avail himself of the protection provided under a number of provisions of international humanitarian law, for example, the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. The applicability of those rules of international humanitarian law did not rule out that the international treaties concerning refugees, and the protection activities of UNHCR and ICRC had to be complementary, in the interest of the victims.

83. He welcomed the excellent co-operation between UNHCR and ICRC in Central America in recent months in the context of the arrangements for the return of Nicaraguan and San Salvadorian refugees from Honduras and Costa Rica to their respective countries. He firmly believed that there would be the same co-operation in other regions of the world, particularly the Horn of Africa, where UNHCR's presence was indispensable, especially in repatriating Ethiopian refugees from northern Somalia. That repatriation programme should also be accelerated.

84. The ICRC associated itself with the concern expressed by the High Commissioner in his Note on International Protection (A/AC.96/750) about the problem of the physical security of refugees. It also wished to stress the need to guarantee the security of persons working for humanitarian organizations, to enable them to carry out their task.

85. Although considerable progress had been made in recent months, towards a political solution to certain regional conflicts, with new prospects of repatriation for hundreds of thousands of refugees, it should be borne in mind that there might not be an immediate improvement in the situation.

86. The untimely return of refugees and displaced persons to areas that were militarily and politically unstable and lacked the necessary infrastructure could have serious humanitarian consequences. It should be understood that repatriation programmes for refugees had been discontinued or delayed because the security conditions were still unsatisfactory, as recently in the cases of Angola and Mozambique. The fate of Afghan refugees who might be prevailed upon to return home as well as that of the civilian population in Afghanistan continued to give rise to considerable concern.

87. With regard to the Cambodian conflict, the ICRC was also concerned over the forcible transfer of persons from border camps to the hinterland of Cambodia. Once an agreed political solution had been found and accepted by all the parties, it was important that the principles of voluntary repatriation and freedom of the persons concerned to choose their place of resettlement should be fully respected, under international supervision.

88. In the Middle East, it was important that discussions should continue between ICRC and UNHCR on the aftermath of the Iraq-Iran war.

89. In conclusion, he drew attention to the fact that it was the duty of States parties to respect and enforce the provisions of the relevant international instruments. Only with the political and financial support and confidence of Governments would humanitarian organizations, and UNHCR and ICRC, in particular, be able to carry out their protection and assistance tasks.

90. Mr. BRANDRUP (International Council of Voluntary Agencies) said that he wished to touch upon seven issues that characterized the context in which many voluntary agencies were currently working.

91. First, voluntary agencies saw a very real potential for the resolution for many of the world's refugee crises with the reduction of the cold war tensions, conflicts and proxy wars that had contributed to the creation of many refugee movements for more than 40 years. A number of current regional political initiatives demonstrated that the political will could exist for the resolution of conflicts. Disregarding the possible long-term effects of the Gulf crisis, the overall number of refugees and people uprooted by conflicts could be, and was being, reduced.

92. Second, non-governmental organizations were often operating in a context of official exhaustion, cynicism and indifference which left a number of long-standing refugee problems unsolved. Such callousness demonstrated an absence of political resolve having inexcusable consequences. The many billions of dollars spent on arms should now be made available for peace, reconstruction
and development, thereby removing the root causes of refugee movements.

93. Third, voluntary agencies followed closely the international debate on the different movements of people, including refugee flows. They were concerned about the often very unsophisticated quality of the analysis of

those movements at governmental levels. They noted confusion, tensions and general misconceptions rather than the development of coherent responses. Working with refugees and displaced persons in the field, they witnessed a downward spiral set in motion by desperate poverty, leading finally to the displacement of people. For voluntary agencies it was obvious that the response to problems of forced displacement could not be separated from the general policies of the international community to help individual nations and peoples to embark on real social and economic development leading to the elimination of poverty and the greater enforcement of human rights.

94. Fourth, voluntary agencies believed that the work being done for refugees and displaced persons would be enhanced if there was a real consolidation of the international human rights system and greater formal and effective adherence to the relevant conventions. Voluntary agencies welcomed the entry into force of the Convention on the Rights of the Child. It was vital that States live up to the expectations that had governed its elaboration and that the Convention be ratified without reservation and applied to all children, including refugee children. It was, in fact, imperative that States should commit themselves to implementing the various human rights conventions in the spirit in which they had been drafted. With regard to refugees, basic human values and international law must have preference over control and policing concerns.

95. Fifth, voluntary agencies often found themselves in situations of political and military conflict. Defending the rights of displaced persons and refugees sometimes led to subtle or outright harassment, threats to life, disappearances or even killings. Voluntary agencies expected Governments to uphold the basic principles of the right of access and the right of assistance to vulnerable populations, even in times of political and armed conflicts.

96. Sixth, voluntary agencies continued to be deeply concerned about the false economies imposed upon UNHCR by Governments that did not provide adequate funding. No Government had questioned the fact that even a conservative assessment of UNHCR's operational needs far exceeded the funds available. The current situation clearly did not allow UNHCR to respond rapidly to new refugee situations or to plan, implement and evaluate its work in a rational, cost-effective manner. There was no substitute for government funding for UNHCR.

97. Seventh, it was important to note the continued improvement in the institutional relations between UNHCR and the non-governmental organizations, which could be seen, inter alia, in the process leading to the joint revision of guidelines for co-operation between non-governmental organizations and UNHCR.

98. A more detailed analysis of the current concerns of the international non-governmental organizations with regard to refugee protection and assistance was available in the conference room.

99. Mr. KAMAL (Pakistan), speaking in exercise of the right of reply, said that his delegation had heard with some astonishment a statement by the representative of the Kabul régime speaking in the name of Afghanistan in which he had accused Pakistan of failing to meet legal and humanitarian obligations towards refugees. The statement raised some obvious questions. First of all, the representative of a régime hoisted on a peaceful and decent

population by foreign tanks and bayonets, a régime whose hands were tainted with the blood of one and a quarter million Afghan dead and countless others maimed and tortured, a régime which bore the awesome responsibility of having forced half of its total population to leave their homes and a full one third, more than five million, to seek refuge in neighbouring countries, now wanted to give Pakistan lessons on the treatment of refugees.

100. Pakistan was proud to have had the privilege, at onerous cost, of hosting the millions of Afghan refugees in need of help. The verdict on the non-representative nature of the Kabul régime had to be rendered in the first instance by the Afghans themselves. To begin with, they had voted with their feet by leaving Afghanistan to seek shelter in Iran and Pakistan. They had voted again by not returning to Afghanistan despite its porous border with Pakistan. As for the Afghans condemned to survive inside Afghanistan, the verdict could be seen in the uncertain conditions within the country that prevented all efforts to achieve the repatriation of refugees and the rehabilitation of a war-torn country.

101. Reference had been made to the Geneva Agreements. They, however, were concerned only with the external aspects of the Afghanistan problem. The internal aspects required a political solution which obviously lay in the transfer of power from a non-representative régime to a broad-based representative Government, as foreseen in the General Assembly resolutions of the past two years. Reference had also been made to the mines in Afghanistan. The whole world was aware of the 30 million mines laid by the régime on whose behalf the statement had been made, and of the fact that the maps of those mines had still not been handed over to United Nations representatives. The long list of Afghans maimed, including some members of the staff of the United Nations Co-ordinator for Afghanistan, was on record for all to make their own judgement in the matter.

102. The CHAIRMAN drew the Executive Committee's attention to the draft report of the Sub-Committee of the Whole on International Protection (A/AC.96/758).

103. Mr. MOUSSALLI (Director of International Protection) said that it was clear that UNHCR could provide for the international protection of refugees only in close co-operation with the States concerned and with the support of non-governmental organizations and international public opinion. Such co-operation could be fully effective only if there was an understanding of the realities and difficulties of each situation facing both refugees and States. It was, however, essential to brook no compromise with regard to the defence of the fundamental principles of protection, which represented essential values in the field of human rights. In order to do so it was indispensable to maintain a frank, open and trusting dialogue with Governments and the national administrations responsible for refugees. The frankness and the many different reactions which the High Commissioner's Note on International Protection (A/AC.96/750) had evoked, both in plenary and in the Sub-Committee on International Protection, were therefore most gratifying. Most of the comments made were fully in line with the High Commissioner's own analysis. Certain essential points, however, needed to be stressed.

104. UNHCR's work for refugees was based on the principles of international protection gradually developed or affirmed since the time of the League of Nations. The 1951 Convention and the 1967 Protocol were still the basic universal instruments, which could not now be revised or amended. The

principle of non-refoulement was at the centre of international action in support of refugees. It was on the basis of that principle that asylum, temporary or permanent, could be granted. When asylum-seekers did not meet the definition given in the 1951 Convention but might fear for their lives, liberty or physical integrity if they were sent back to their country, States generally accorded them temporary asylum on humanitarian grounds. In many third world countries, especially in Africa and Central America, the refugee concept had been enlarged in practice to cover victims of armed conflicts or serious internal upheavals.

105. Most asylum States made enormous sacrifices in order to be able to continue to accept refugees. In the industrialized countries, the institution of asylum was threatened by an ever-increasing number of persons who used asylum procedures in order to enter those countries although they were not in need of international protection. As had often been stressed in the debates, national administrations had to assign considerable resources in order to maintain the viability of asylum procedures. It was therefore understandable that States should seek to strengthen their frontier controls in order to combat abuses. However, everything must be done to permit genuine refugees, despite the imposition of such controls, to present themselves at frontiers and to have access to asylum procedures, as well as to avoid the temptation of making a restrictive interpretation of the Convention definition of a refugee and to continue to apply the Convention both in letter and spirit.

106. The poor, or developing, countries were making the heaviest sacrifices and were bearing the main brunt of refugee outflows. Often the nature and size of such outflows endangered their stability, security and socio-economic equilibrium. In most cases the peoples of the host countries generously agreed to share their meagre resources with the refugees. Nevertheless, some countries had refused to grant asylum and had expelled refugees, thereby dooming children, women and men to certain death. Such acts must be strongly condemned by the international community.

107. In order to safeguard the institution of asylum, to check abuses, to prevent outflows, and to enable refugees to return freely to their homes in complete safety and dignity, international action in support of refugees must be organized in a more coherent, more comprehensive and more universal way than had been envisaged in 1951. Since the great danger threatening the institution of asylum came from the enormous migratory pressures which were developing, such action must necessarily form part of a broader strategy designed to prepare a concerted, long-term policy for migratory flows. After the paralysis of the past decade and thanks to the enormous changes that had recently taken place in the world, there were grounds for hoping that an effective agreement among Governments, the international community's political organs and its humanitarian institutions would gradually make it possible to attain those goals. Only thus would the principles of the international protection of refugees be strengthened and extended.

108. Those principles had been developed throughout the century on the basis of the permanent and universal values of civilization. International action in support of refugees had constantly evolved since the appointment of the first High Commissioner for Refugees, Fridtjof Nansen, by the League of Nations in 1921. The creation of UNHCR in 1950, with a considerably enlarged mandate in comparison with that of Fridtjof Nansen's, was the best demonstration of that. If UNHCR was to continue to carry out the mission entrusted to it on

the basis of those fundamental principles, it must be ready to depart from its habitual ways, to take bold initiatives, and to assume a more extensive role than it had traditionally undertaken, provided, of course, that the international community clearly requested it to do so and supplied it with the necessary resources and that its new role was compatible with its fundamental humanitarian mandate.

109. In that context the High Commissioner had informed the Executive Committee of several proposals in his Note on International Protection and in his introductory statement, indicating those fields in which UNHCR could take initiatives, explore new ways, play a catalytic role, or participate in joint activities. Some of those proposals had been referred to by delegations both in the Sub-Committee on International Protection and in the general debate. They included a search for indications of possible outflows and the preparation of measures capable of preventing them or of facilitating their discontinuation; the preparation of principles designed to define more clearly the responsibility of States, particularly States of origin, with regard to population outflows and mechanisms for international solidarity permitting countries faced with inflows of refugees to have at their disposal the necessary resources to cope with them; the identification of the contributions which regional or international human rights bodies could make to solving such problems and of the action to be taken to find humanitarian solutions in cases where a person's application for asylum had been rejected; and a regular analysis of the conditions obtaining in countries of origin in order to enable refugees, in cases where there had been an improvement or significant changes in their country of origin, to cease to be refugees and to avail themselves once again of the protection of their own country.

110. It was gratifying to note that several regional initiatives had already been taken with a view to finding solutions to some of the problems mentioned in the Note on International Protection. It was hoped, in particular, that the solutions proposed for South-East Asia in the Comprehensive Plan of Action could finally be accepted unanimously and be implemented in a positive spirit compatible with UNHCR's humanitarian mission. The countries of Latin America had displayed an impressive far-sightedness within the framework of CIREFCA. Africa had seen, a few years previously, ICARA I and ICARA II and, recently, SARRED. A number of central and eastern European countries had displayed welcome support for the 1951 Convention, and a constructive dialogue had been entered into with the countries of the European Community which had drawn up the Dublin Convention and with the five European countries which had drawn up the Schengen Convention. The informal consultations with 15 countries in Europe and North America and Australia were also encouraging. Furthermore, the Executive Committee had taken a welcome decision to establish, within the Sub-Committee on International Protection, a working group on solutions and protection to develop proposals in greater detail. The Working Group could benefit from the work done in the various regional groups. It would, of course, be illusory to hope to find solutions that would settle the world's refugee problems immediately. However, by devoting the necessary care, attention and diligence, it was possible to draw up proposals, to define concepts and to decide upon activities conducive to a better understanding of the problems and to a clearer identification of the appropriate solutions.

111. Concluding on a personal note, he said that UNHCR's mission was both formidable and exciting. There were many formidable obstacles in its way, but it was exciting to know that the lives of millions of human beings in

distress depended on the success of its work. The overwhelming majority of the staff were fully aware of that. Working sometimes in very difficult conditions and sometimes at the risk of their lives, they were devotedly carrying out UNHCR's humanitarian mission. The Office had been established to defend permanent, universal and age-old values. He was therefore convinced that the international community as a whole would always be with UNHCR, despite all the difficulties which it was encountering and all the dangers looming on the horizon. UNHCR certainly made mistakes and it accepted criticism willingly. If, for its part, it sometimes criticized a particular State, that was because it was convinced that to do so was the only way left for it to fulfil its mission of offering refugees effective protection. That might be annoying, but in the long term the States and administrations concerned would thank UNHCR for having done its duty.

112. The CHAIRMAN said that, in the absence of any objection, he would take it that the Executive Committee wished to adopt the report of the Sub-Committee of the Whole on International Protection by consensus (A/AC.96/758).

113. The report of the Sub-Committee of the Whole on International Protection (A/AC.96/758) was adopted by consensus.

The meeting rose at 5.40 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-first session

SUMMARY RECORD OF THE 459th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 4 October 1990, at 10 a.m.

Chairman: Mr. AZIKIWE (Nigeria)

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Status of contributions and overall financial requirements for 1990 and 1991

Administration and management

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The meeting was called to order at 10.30 a.m.

(a) REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1989-1990 AND ADOPTION OF A REVISED 1990 BUDGET AND PROPOSED PROGRAMMES AND BUDGET FOR 1991

(b) STATUS OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1990 AND 1991

(c) ADMINISTRATION AND MANAGEMENT (agenda item 5) (A/AC.96/751, parts I to V, and A/AC.96/751/Add.1, part I, A/AC.96/752, A/AC.96/753, A/AC.96/754 and A/AC.96/759)

1. Mr. STAFFORD (Deputy High Commissioner), introducing agenda item 5, listed the documents to be considered under the item and said that the budgets being submitted were tight and that such a state of affairs would have its effect on the refugee situation. The financial targets for 1990 and 1991 would not enable all needs to be met, because they had been based on a projection of expected resources. Like a number of delegations, he, too, was concerned about the relatively small amount of funds allocated to durable solutions.

2. For over a year, the Executive Committee and UNHCR had been essentially preoccupied with improving the Office's financial situation and with altering its structure, and they had achieved some success. While efforts in that direction would be continued, the time had come to refocus on responding to the expectations of those that it was UNHCR's mission to assist, namely refugees. UNHCR could not allow itself to remain inert in the face of a changed political climate, but should take advantage of the readiness of States to use the machinery of the United Nations.

3. It was ironic that, at the very moment opportunities for durable solutions were at hand, UNHCR was encountering severe financial difficulties. He would remind the Committee that, to complete its 1990 programme, UNHCR still needed $60 million. It was thus crucial that members should do all they could to provide the Office with the additional funds which would enable it to fulfil its mandate up to the end of the year. As to questions of administration and management, UNHCR had reached a crossroads and, that although much had been accomplished, much remained to be done. The support of the Executive Committee would be essential in carrying out that task.

4. Mr. MARKIDES (Observer for Cyprus) pointed out that the 200,000 Cypriots who had been forced to abandon their homes and property following the 1974 invasion had the same needs as refugees in the strict sense of the word. The funds generously made available to UNHCR for its Cyprus programme (A/AC.96/751, part V) were being used to promote projects benefiting both communities, and to improve the general living conditions of the refugees, who, after 16 years of exile, still had a burning desire to return to their homes.

5. The population of Cyprus consisted of 82 per cent Greek Cypriots and 18 per cent Turkish Cypriots. He noted that the proportion of funds allocated by UNHCR to Turkish Cypriots was in excess of their ratio to the island's total population. For the Government of Cyprus, which was concerned to promote unity rather than division, the best solution to the refugee problem was voluntary repatriation under conditions of safety, and, once the situation had returned to normal, most displaced persons would in all likelihood choose to return home. The refugee question should also be considered from the political point of view, as recognized by the High Commissioner from the moment he had taken office. The problem of Cyprus could only be solved through negotiation, with respect for human rights and fundamental freedoms, and on the basis of United Nations resolutions, high-level agreements, and international law. Unfortunately, the other side had done nothing but foster division, thus blocking the way to any possible solution. Lastly, his country stood ready to co-operate closely with the Regional Director for South-West Asia, the Middle East and North Africa.

6. Mr. MORLAND (United Kingdom) commended UNHCR for taking into account the recommendations of the Temporary Working Group, notably by concluding an agreement with the World Food Programme on food transportation costs, an agreement which had already resulted in savings in the 1990 budget and should make for further savings in the 1991 budget. The agreement was evidence of the advantages to be derived from co-operation with other agencies. The Gulf crisis afforded a good example of the way in which United Nations agencies and other agencies could co-operate in very difficult circumstances without trespassing on each other's mandates.

7. He also welcomed the efforts by UNHCR to bring staff numbers down to the 1986 level. Despite the difficult decisions that policy had involved, the longer term benefits should include an increase in the proportion of resources channelled to direct refugee assistance. Particularly gratifying were UNHCR's efforts, in Europe and elsewhere, to identify savings that could be made through better use of regional offices, efforts that were a fundamental part of the Office's planning activities. In the new structure, evaluation had rightly been strengthened, and its independence guaranteed by creating a direct link between the Evaluation Unit and the High Commissioner's Office. It was to be hoped that the recommendations made as a result of the evaluation exercise would be applied more widely in the UNHCR system as a whole.

8. Also commendable were the new procedures to respond to emergency situations: they should ensure not only that assistance was provided as rapidly as possible, but also at the lowest possible cost. Due to lack of time, the Temporary Working Group had not dealt with important financial questions, notably UNHCR's funding mechanisms. He thus welcomed the recent decision to appoint external consultants to make recommendations for improving those mechanisms, and to seek the views of donors through their Geneva missions as well as through the Sub-Committee on Administrative and Financial Matters. How to improve predictability of resources should be one of the key concerns of the consultants, and his delegation awaited their conclusions with interest. The United Kingdom, for its part, would, as in the past, strive to make an

earlier and more accurate estimate of the likely amount of its annual contribution. However, greater predictability could not in itself guarantee that UNHCR would have sufficient resources to be able to carry out its task. Both traditional donors and host countries had done their utmost to come to the aid of an ever-increasing number of refugees, but there were still too many States which did not see it as their duty to pay any contribution to UNHCR's programmes. It was to be hoped that the events of the past few weeks would encourage them to reconsider their position.

9. All would agree that 1990 had been an extremely difficult year for UNHCR. However, by adapting its programmes to the level of resources it could reasonably expect to receive, and by endeavouring to reduce administration costs, the Office was ensuring that it would be in a better position to respond to future appeals for assistance. The principal aim in 1990 had been to balance the budget, and that had been achieved, although the problem had yet to be solved as far as the last three months of the year were concerned.

10. UNHCR was to be congratulated on the improvements it had made in the presentation and regularity of its financial reports; the new format meant that they were now easier to consult.

11. The initial budget estimates for the 1991 General Programme showed a drop of $16 million in comparison with 1990. However, that decrease had now been almost entirely cancelled out by the Liberian crisis. The programme reserve had been slightly increased, which gave a certain degree of flexibility to the new programme, and though the reserve was small, it was a step in the right direction.

12. Although the financial crisis had not yet been overcome, the High Commissioner and his staff had taken steps which should further improve the situation in years to come, and should ensure that the Office was well placed to respond to the challenges of the 1990s.

13. Mr. EL KHATIM (Observer for Sudan) said that document A/AC.96/751 (part I) contained some errors in the figures relating to the Sudan. In fact, the total number of refugees in the Sudan was not 768,000 (para. 1.17.1), but 950,000, and the refugees being assisted by UNHCR numbered 234,000 and not 377,000. Those errors could have serious consequences, in that it was impossible to operate properly targeted programmes on the basis of false data. In addition, as had been already stated by the representative of Sudan at the Committee's extraordinary session in May, UNHCR's assistance programmes for 1990 met only 9.6 per cent of the basic needs of refugees. A mission sent by the Organization of African Unity (OAU) which had visited a Sudanese reception centre in September had found that the refugees' living conditions were appalling, and that the plight of children was particularly tragic. It now seemed that allocations for 1991 would be even lower than those of 1990. Sudan, which was already suffering from major economic problems and from endemic drought, would not be able to continue to assist those refugees, and it urgently requested UNHCR and the international community to take action in order to avoid a repetition of the tragedies of 1984 and 1985.

14. Mr. EL GHALI BENHIMA (Morocco) said that a compromise permitting a durable solution to UNHCR's financial crisis could be achieved, provided three basic conditions were met: a policy of austerity at all levels, a broadening of UNHCR's resource base, and adequate attention to refugee concerns by meeting basic needs. Assistance should not be allowed to become institutionalized to the detriment of durable solutions, and voluntary repatriation was the preferred solution. Priority assistance should go to the most vulnerable refugee groups, notably women, children and the elderly. In addition, any initiatives to promote self-sufficiency were to be encouraged, and his country welcomed UNHCR's new approach, which sought to strike a balance between available resources and refugee needs. The numerous programme reviews in recent months showed that the Office was honouring its commitment to maintain that balance.

15. Where circumstances were favourable to local integration, development aid offered an effective solution for some categories of refugees. As far as possible, development projects should be integrated into national plans. It was also important that the refugee burden worldwide should be shared, and the efforts made in that direction by a number of development agencies were particularly worthy of attention.

16. In his introductory statement, the High Commissioner had welcomed the fact that the problem of the Western Sahara now seemed to be nearing a solution, and Morocco, for its part, hoped that that solution would not be long in coming. He would point out, however, that his delegation had always disputed the suggested figure of 165,000 Saharan refugees. He also disputed their origin, since the number of persons genuinely originating from the Western Sahara region represented only a small proportion of the total population of the settlement camps. It should be remembered in that connection that that exaggerated figure had not been included in the United Nations Peace Plan, which referred to data supplied by the 1974 Spanish census, data which had been used by the United Nations Identification and Census Commission as a basis for the referendum.

17. Lastly, his delegation had taken note of the financial target for 1991 and supported the budget proposals as amended by the High Commissioner.

18. Mr. MEJIA (Observer for Honduras), speaking on behalf of the countries of Central America, said that the follow-up operation to the International Conference on Central American Refugees (CIREFCA) had been one of UNHCR's greatest successes. In that connection he would like to thank Mr. Dannenbring, who, as Chairman of the Executive Committee, had made every effort to support the work of the Latin American Group.

19. However, a number of important problems still had to be solved. Although moves were being made towards peace, the process of reconciliation in the region was not yet complete, and in some countries, the socio-economic situation gave cause for great concern. Both for UNHCR and for the United Nations Development Programme (UNDP), the priority need was to strengthen links through which the Conference's initiatives could form part

of national development efforts. Only by that means could repatriation and reintegration endeavours achieve success. As the High Commissioner had pointed out in his opening statement, the success of the Conference was closely tied in with the furtherance of peace and development in the region. For that reason, the countries of Central America urgently requested Governments and intergovernmental and non-governmental organizations alike to continue to support implementation of the Concerted Plan of Action. In conclusion, he wished to thank the High Commissioner and his staff, who had worked untiringly to put the Office's chosen policies into practice.

20. Mr. SIMINGTON (Australia) commended the High Commissioner for his commitment in the scrupulous and balanced implementation of all elements of the comprehensive Plan of Action. The document before the Committee clearly showed that great progress had been made in certain areas, notably with regard to persons with genuine refugee status. For example, the resettlement of refugees in camps in South-East Asia was ahead of schedule. Australia had played an important role in that process, since it had already considered the cases of 80 per cent of the total number of refugees it had offered to receive. Normalization of emigration from Viet Nam under the Orderly Departure Programme was also proceeding well, and under that programme, too, Australia had taken in large numbers of refugees.

21. However, the Comprehensive Plan of Action depended for its success on the repatriation of persons who did not meet the agreed criteria for the granting of refugee status. The situation of Vietnamese asylum-seekers in that category had reached an impasse, which was endangering the whole principle of protection. The Comprehensive Plan of Action was very clear on that point: the return of those who did not come within the definition of a refugee was inevitable, and lack of consensus on the timing and modalities of repatriation was merely aggravating the situation.

22. It was essential that the inhabitants of the camps should accept that they had to return home. There were, in fact, few volunteers for repatriation and it had to be said that a number of factors combined to discourage possible candidates: pressure from relatives at home, or rumours circulating in the camps which discouraged volunteers by implying that eventually the international community would open up its borders more freely to asylum-seekers.

23. The inhabitants of the camps had to be told clearly and unequivocally that, for those found not to be refugees, return was inevitable and there was no prospect of relaxation of restrictions on agreed settlement in third countries. They should be brought to understand that it was futile to insist on remaining in the camps, and they should not be encouraged to cherish false hopes. In that connection, counselling services in the camps should be improved, and Australia was prepared to assist in that effort.

24. Mr. GARBA (Nigeria) said that the past year had brought out the best in UNHCR, which had successfully streamlined its structure and activities to bring them more in line with its limited resources. However, it had to be

admitted that in future the Office would need a better funding mechanism, since the unpredictability of its income had repercussions both on the refugees themselves and on asylum countries and often meant that projects which would have led to durable solutions had to be abandoned.

25. Among the various options proposed to remedy the situation was the possibility of seeking private sources of funding. For that purpose, UNHCR would utilize the services of communications and marketing professionals experienced in private fund-raising. His delegation invited donors to support that initiative, which would have the advantage of enlarging the limited circle of traditional donors, thereby reducing the financial burden they were now bearing.

26. His delegation wished to draw attention to the exemplary co-operation between UNDP and UNHCR in activities initiated under the International Conference on Central American Refugees (CIREFCA), co-operation that should serve as a model for inter-agency action in line with the Executive Committee's decision on the sharing of responsibilities for operational activities. Co-ordination between different organs of the United Nations system made it possible not only to share expenses, but also to take advantage of the technical skills of each of the partners; hence the importance of the section dealing with inter-organizational co-operation in the new secretariat structure.

27. Nigeria supported the proposal to set up a Contingency Fund, which would give UNHCR more flexibility in responding to emergency situations, and it hoped that the assurances given by the Office that it would report annually on the use of the Special Account would satisfy the concern expressed by some delegations.

28. The decisions taken to streamline administration and make budgetary cuts had put UNHCR and the Executive Committee on the right road. All that was needed now was the political will to put them into effect.

29. Mr. DEMIRALP (Turkey) said he protested at the exploitation of the plight of displaced persons in Cyprus for political purposes. Such a manoeuvre was an attempt to distort the facts, and should be strongly opposed in all forums, particularly a humanitarian forum such as the UNHCR Executive Committee. He would like to give an account of the origins and development of the situation regarding displaced persons in Cyprus, a situation which should be taken into consideration in the implementation of humanitarian assistance programmes.

30. In 1958, even before the island had acceded to independence, again in 1963 and as late as 1974, despite the presence of the United Nations peace-keeping force in Cyprus, Turkish Cypriot villages and urban areas had been attacked and in some cases destroyed. Turkish Cypriots had been dispersed in over 40 enclaves that were in all parts of the island but covered only 3 per cent of its territory. After the coup d'état of 1974, both Turkish and Greek Cypriots had been obliged to seek refuge in safer areas. The persistently hostile attitude of one side had meant that the only possible

solution was to divide the two populations into two separate zones. Partition had been decided on by common agreement in 1975 in Vienna, paving the way for the introduction of a two-zone federal system. Both communities had suffered great hardships, but the population in the north was more in need of humanitarian aid than that in the south. In fact, since 1975, the Turkish Cypriot people, determined to defend their freedom, security and dignity, had suffered from numerous restrictions imposed by the opposing side in the economic and cultural field. As far as the population of the south were concerned, they were the only group of displaced persons in the world who enjoyed a per capita GNP of $8,000 a year. It would appear that holding on to persons still not properly resettled or reintegrated was deliberate policy on the part of the opposing side, which hoped to retake the north of the island and re-establish the situation that had existed before 1974.

31. United Nations Security Council resolution 649 had made provision for the setting up of a two-zone, two-community federation. Ill-disguised attempts were being made to overturn the two-zone principle by exploiting the plight of displaced persons. Those receiving UNHCR's assistance on the island could in no way be considered as refugees. The High Commissioner's role in Cyprus was confined to co-ordinating United Nations humanitarian assistance to both communities. Turkey hoped that that programme would continue to be implemented, but with the emphasis on Turkish Cypriots.

32. Mr. KELLY (United States of America) said he would like to comment on the recommendations made by the Board of Auditors, which were in line with some of the recommendations of the Committee's Temporary Working Group, on how to ensure better use of existing resources and to mobilize new resources.

33. His delegation strongly supported the recommendations contained in paragraph 5 (b) and (e) of the Board's report (A/AC.96/755); the first was that the use of funds channelled through UNHCR as simple transfers to third parties should be monitored, and that the administrative expenses incurred should be recovered; the second was that reporting and payment procedures for cash-for-food contributions should be streamlined, and that reimbursement by donors for food purchases and related costs should be accelerated. Those two recommendations should serve to increase UNHCR's resources. As to the recommendation in paragraph 5 (c), the Auditors rightly pointed out that UNHCR ought to indicate in its financial statements the volume and estimated value of food aid, which formed such an important component of its programme. In cases where several organizations in the United Nations system were incurring substantial expenditure on a particular programme activity, the total cost should be reflected in the financial statements, so that Member States could determine how the limited resources available should be allocated throughout the system.

34. The recommendation in paragraph 5 (d), concerning staff rotation policy, was designed to reduce the frequency, and hence the cost, of staff reassignments; his delegation was in agreement on that point, provided that the varying degree of hardship existing at different duty stations was taken into account. The recommendation in paragraph 5 (f) called for effective

arrangements for monitoring funds administered by implementing agencies. He fully supported that recommendation, which would go far in ferreting out waste and irregularities in the management of resources.

35. In conclusion, he wished to make two comments regarding funding. His delegation would support an increase in the regular budget, provided zero real growth budgeting was respected. Secondly, it hoped that in seeking a mechanism to improve funding flexibility, consideration would be given to the need to maintain the Emergency Fund at an adequate level, since that Fund was very useful to UNHCR in responding to emergency situations.

36. Mr. MARTIUS (Germany) commended UNHCR for keeping the revised 1990 budget within the limit set by the Executive Committee at its extraordinary session in May. However, the funding shortfall in general programmes called for continued budgetary discipline and for an undiminishing donor support. His delegation could accept the 1991 General Programmes target of $345.5 million. If that target was to be met, great efforts would have to be made to raise funds from donors. In addition, UNHCR should take every opportunity to make savings, notably on administrative expenditure. In that area, Germany was ready to assist through its multilateral co-operation programme.

37. In 1989, Germany's contribution to UNHCR trust fund projects had reached nearly 8 million marks. For the financial year 1990, the indicative planning figure had fallen to 6.35 million marks. If that situation was to be improved, progress would need to be made in three main areas: project identification and planning, effectiveness in project implementation, and financial management.

38. Germany was ready to provide about 1 million marks over a three-year period into a project planning and preparation trust fund, to enable the Technical Support Service to recruit experts in project planning and preparation, in particular for income-generating activities and natural resource management. As far as implementation was concerned, his delegation was concerned that the Transport Operation for Refugees project in Ethiopia had come to a halt, and recommended that agency heads both in UNHCR and in WFP should take steps to continue the project.

39. The financial management of trust fund co-operation projects in which Germany was taking part posed serious problems. The progress reports and financial statements which were provided for in the project agreements were being submitted very late, and they often left much to be desired.

40. In 1987, a food security project for Eastern Sudan, financed by a special trust fund, had been launched jointly with UNHCR. That project had been halted, and an unspent balance of $2.7 million had remained available for two years. It had been made clear at several review meetings that a number of "food for work" activities would need to be undertaken, more particularly in sectors such as transport, road maintenance, warehouse construction, water and forestry, to use up the remaining funds. However, nothing had been done to

give effect to those proposals, despite the fact that the current financial crisis had meant that cuts had had to be made in a number of similar activities.

41. Another financial management problem lay in the use of interest accrued from trust funds. He reiterated his appeal that UNHCR's financial division should work out an acceptable solution, in line with existing trust fund arrangements. The German Government was financially accountable to Parliament and could not allow the current situation to continue much longer. In future, in any co-operative activities with UNHCR financed by trust funds, Germany would insist on proper project planning and on effective implementation and financial management. It had noted with satisfaction that the Technical Support Service was preparing a project planning and feasibility study in the water sector in Malawi. It sincerely hoped that that project would serve as a model for its future co-operation with UNHCR.

42. His delegation had carefully studied the report of the Board of Auditors (A/AC.96/755) and the report of the Advisory Committee on Administrative and Budgetary Questions (A/AC.96/756) and it supported their recommendations. It was particularly concerned about UNHCR's current funding and expenditure mechanism. It fully shared the Auditors' view that UNHCR's ability to respond to growing needs was seriously restricted by the lack of mechanisms for timely and guaranteed funding. The question could not be left pending any longer. On the contrary, a thorough review should be made of current procedures so that UNHCR could be given all the flexibility it needed to respond to new emergency situations. His delegation believed that there was still room for improvement, even within the existing framework. It was pleased to note that the Sub-Committee intended to meet on a more regular basis and to take up any work left unfinished by the Temporary Working Group.

43. Mr. SAFAEI (Islamic Republic of Iran) welcomed the new Director of the Regional Office for South-West Asia, the Middle East and North Africa. His country would like to thank the outgoing director for his efforts to promote co-operation in the region, and hoped that that co-operation would continue.

44. Mrs. RUESTA DE FURTER (Venezuela) noted that the Deputy High Commissioner, when introducing agenda item 5, had not included the document entitled "UNHCR policy on refugee women" (A/AC.96/754) among the documents to be considered under item 5 (c). Nor was any mention made of that document in the annotated agenda; she wondered whether an administration and management policy designed to change accepted attitudes and habits should not be included under agenda item 5 (c).

45. Mr. STAFFORD (Deputy High Commissioner) said that the omission was the result of an oversight. The document in question had been carefully considered both by the Sub-Committee of the Whole on International Protection and by the Sub-Committee on Administrative and Budgetary Matters, but it should also have been included among the documents to be considered under agenda item 5 (c) in the plenary meeting.

46. Mr. IDOYAGA (Observer for Uruguay) said he fully endorsed the statement by the representative of Honduras on behalf of the Latin American Group regarding the follow-up process to CIREFCA. The Government of Uruguay entirely supported that process and welcomed the fact that the High Commissioner had made particular mention of it and cited it as an example for other regions of the world. In refugee assistance activities, the CIREFCA process stood out by its policy of co-operation not only with UNHCR, but also with UNDP and other United Nations agencies, with a view to arriving at durable and wide-ranging solutions. He had been favourably impressed by the fact that representatives of countries as far distant as India and Japan had also referred to CIREFCA, and that Japan had even announced a contribution of $1 million in support of follow-up programmes. For the moment, however, as had been pointed out by the representative of Honduras, the reconciliation process in Latin America was still incomplete and it was important that efforts to that end should be continued. At its latest meeting, held in Tegucigalpa on 18 September, the CIREFCA follow-up committee had made a number of recommendations. Uruguay supported those recommendations, notably those contained in chapter 8, in which the Follow-up Committee appealed to the international community to lend its support to UNHCR and UNDP through the joint UNHCR/UNDP CIREFCA follow-up programme. He urged that such support should not simply be political and moral, but should also be economic.

47. Mr. MARKIDES (Observer for Cyprus), referring to the statement made by the representative of Turkey, said it was an attempt to politicize the UNHCR Executive Committee and to conceal the serious responsibilities borne by Turkey, which had created, and was now prolonging, the refugee problem in Cyprus. The representative of Turkey was merely rehashing Turkish propaganda, which had already been refuted on a number of occasions. Rather than answer those assertions, he would refer the Turkish representative to the reports of the United Nations Secretary-General, which spoke for themselves. The Turkish representative seemed to have forgotten that it was the Turkish army which had evicted, by force of arms, 200,000 Greek Cypriots - in other words, 80 per cent of the population of the occupied zone - from their ancestral homes and taken away their property, and it was that same army which still prevented them from returning, in contravention of United Nations resolutions and of international law. It was Turkey's army which had imposed division and separation on Cyprus and continued to maintain them, at a time when, elsewhere in Europe, barriers were coming down. Unfortunately, Nicosia was today the only divided capital in Europe. It was absurd to claim that Cyprus wished to keep its refugees for political reasons. In his statement, the representative of Turkey had distorted the facts as well as the verdict of the international community, as expressed in United Nations resolutions and in reports of the Council of Europe's Commission on Human Rights, all of which had found Turkey guilty of gross violations of human rights with regard to Cyprus. It was Turkey which, in 1974, had invaded and occupied Cyprus in defiance of international law, and which still held more than 40 per cent of Cypriot territory under military occupation.

48. In an effort to promote the partition of Cyprus, the Turkish representative had referred to "the Turkish Cypriot people". He wished to

remind him that the Cypriot people were in fact one people, 82 per cent of which comprised the Greek Cypriot community and 18 per cent the Turkish Cypriot community. To refer to the "Turkish Cypriot people" was tantamount to a denial of international law, the Charter of the United Nations and recent Security Council resolutions, more particularly resolution 649 (1990), which rejected any such claims, and to which Ankara hypocritically paid lip-service. He wondered whether Turkey was really prepared to implement the mandatory resolutions of the United Nations Security Council with regard to Cyprus, resolutions which until now it had consistently and flagrantly violated.

49. Mr. DEMIRALP (Turkey), speaking in exercise of the right of reply, said that one of the aims of the coup d'état by the Greeks in 1974 had been to strike at the defenceless Turkish population scattered throughout the island. Turkey had then intervened, in conformity with the law and in conformity with its obligation under the 1960 Treaty of Guarantee, to protect Turkish Cypriots and to preserve the island's independence. However, he would avoid engaging in political debate and would keep to humanitarian issues.

50. There were in Cyprus two different populations separated by language, traditions, culture and ethnic origin. There was no Cypriot nation. It was the Greek Cypriots themselves who had said at the time that the 1960 Agreement, which recognized Cyprus's independence, had created a State, but not a nation. Two populations had always coexisted in Cyprus within a dual social structure. The physical separation of the two was the fault of the Greek Cypriots, who had launched an all-out attack against the Turkish Cypriots in 1963. The "green line" in Nicosia had been drawn on the map to protect Turkish Cypriots against the violence and aggression of Greek Cypriots. After the 1974 coup d'état, the attitude of the Greek Cypriots, which had been the initial cause of the division, had left no other course than to regroup Cyprus's two populations into two separate zones. The agreement on the voluntary exchange of populations, signed in Vienna in 1975, had served as a basis for the four-point guidelines on which the leaders of the two sides had agreed on 12 February 1977, and which envisaged the setting-up of a two-community, two-zone, independent federal republic. Those principles had been reconfirmed by Security Council resolution 649 (1990). It was thus abundantly clear that any solution to the Cypriot question would be a bi-zonal solution.

51. To judge by the statement that the Executive Committee had just heard, it was equally clear that the question of displaced persons was also being exploited by the Greek Cypriot side so as to break down bit by bit the agreed basis, namely the concept of a bi-zonal federal State. At the moment, the Turkish Cypriots were living in the north of the island, whereas the major part of the Greek Cypriot population lived in its own area, the south. The return of displaced persons to their former homes would not only be unrealistic, in view of the voluntary exchange of populations that had taken place, it would also be inhuman, because the persons in question were now

resettled. If there were any further points to discuss, they should be discussed by the two parties themselves, on the island, with a view to reaching overall agreement on the Cypriot problem.

52. Mr. MARKIDES (Observer for Cyprus) pointed out that the Turkish representative had completely ignored the existence of the mandatory resolutions of the Security Council and had failed to reply to the question just asked, namely, whether Turkey was prepared to comply with the Security Council's mandatory decisions concerning Cyprus.

53. Mr. DEMIRALP (Turkey), speaking in exercise of the right of reply, pointed out that the existence of an agreement concerning the voluntary exchange of populations - an agreement which had already been implemented - had once again been ignored. That agreement had paved the way for the two-zone concept, a concept which had been reconfirmed by Security Council resolution 649 (1990). The only possible solution in practice was for the two populations of Cyprus to coexist side by side, since the policies of oppression pursued by the Greek Cypriots had made living together impossible. In view of the voluntary nature of the exchange of populations, and the two-zone solution envisaged for Cyprus, it should be acknowledged that fundamentally the question of displaced persons in Cyprus was now resolved. As matters now stood, in Cyprus, "displaced" did not imply "misplaced". Humanitarian assistance to the groups affected on both sides should not take the form of a demand for the return of displaced persons to the areas in which they had originally been settled. Such a demand would be incompatible with Security Council resolution 649 (1990), which the Greek Cypriots were now endeavouring to invalidate. His delegation hoped that the Greek Cypriots would review their position, and would respect commitments they themselves had accepted, in order to avoid unwanted and irreversible solutions.

54. Mr. HAIYLE (Somalia) said his delegation had some comments to make on a question to which it attached the greatest importance, namely international protection of refugee women. It approved in its entirety the report of the Sub-Committee of the Whole on International Protection (A/AC.96/758) which emphasized the paramount need to ensure full participation of refugee women in the identification of needs and resources, the planning of activities, and their implemention (para. 7). However, those principles were rarely put into practice, at least where refugee women in Somalia were concerned. Yet almost the world over, it was refugee women who bore the heaviest burden, despite the fact that they represented the most vulnerable group. His delegation therefore appealed to all international organizations to pay particular attention to that problem, because refugee women in Somalia were leading a wretched existence.

55. Mr. KASTBERG (Sweden), speaking on behalf of the Nordic countries, said that the delegations he represented had already expressed their views in detail on the questions covered by agenda item 5 in meetings of the Sub-Committee on Administrative and Budgetary Matters. The progress achieved in a short time had been considerable, as pointed out by all the previous speakers. The same pace should be kept up in the streamlining and

restructuring process, and in any other measures which the High Commissioner might decide to take. It would probably be some time before the process could be completed. The High Commissioner and his staff could count on the full support of the delegations of the Nordic countries in the task ahead.

56. Mr. MOLLARD (Commission of the European Communities) said the Commission viewed its mission to promote humanitarian solidarity as a standing priority. That approach had its origins in the very foundations of the European Community and its history in modern times. It also stemmed from the links the Community had forged with peoples throughout the world. Accordingly, the Community could not stand aloof from the humanitarian crisis that was now taking place. The aid it was giving to refugees and displaced persons was channelled primarily through UNHCR, but also through WFP, the International Committee of the Red Cross (ICRC) and non-governmental organizations. The Community's solidarity formed practical expression in emergency aid, food aid through WFP, and aid to refugee reintegration and self-reliance, in other words assistance in the search for durable solutions. In 1989, the Community had undertaken to increase its direct aid to UNHCR provided that the projects funded were in line with its own objectives and policies. Thus, at the beginning of October 1990, the Community's direct contributions to UNHCR had stood at 426.15 million ecus, or just under $60 million. That total should be increased by the food aid to refugees channelled through WFP, which would amount, transport included, to over 21 million ecus, or some $27 million.

57. Between now and the end of the year, the European Community also planned to take action to assist refugees in South-East Asia, particularly the boat people. There was need not only for swift emergency response but also for an attack on the root causes of the exoduses that were affecting vast numbers of men, women and children. It was with that end in view that the Commission had launched its initiative to assist the boat people, and its efforts in Central America and Africa pursued the same objective.

58. Mr. SZYNALSKI (World Food Programme) said he realized that members of the Committee were already familiar with the co-operation agreements between UNHCR and WFP with regard to relief assistance for refugees. Nevertheless, to illustrate the intensity of that collaboration, WFP had prepared an information document (EC/SC/2/1990/CRP.2), which described the salient features of that relationship as it had evolved over the past 12 months. There was also continuing contact between the Deputy High Commissioner and WFP's Assistant Executive Director. The High Commissioner and the Executive Director of WFP also met at regular intervals, and working contacts were on an almost daily basis.

59. It was easy to understand why the relationship was so intense: the volume of food assistance to refugees in 1989 had totalled 1.2 million tonnes. In 1990, food aid provided jointly by UNHCR, WFP, bilateral donors and non-governmental organizations was likely to amount to some 1.3 million tonnes.

60. The World Food Programme had followed up with vigour its Governing Body's decision to transform long-term refugee assistance programmes into protracted relief operations, with separate funding arrangements from those governing emergency operations. Donors had given extensive support for the new procedures, as was evidenced by the commitments entered into by the Programme for 1990 and 1991, amounting to over $403 million. It was expected that by the time all projects for 1991 had been prepared, the total value of assistance given by WFP in the course of the biennium for protracted refugee relief projects would exceed $500 million. That figure did not include additional funds of some $100 million for short-term refugee feeding operations.

61. Much had been said both in the Executive Committee and in the Sub-Committee on Administrative and Financial Matters about development activities in favour of refugees. Of course, protracted refugee relief operations included development support whenever feasible. In general, WFP tried to promote income-generating activities, but the scope of such activities was very limited. The difficulties encountered related primarily to funding, availability of land, and the fear that such activities could lead to permanent settlement of the refugees in the host country. To overcome those problems, WFP's plan was to develop collaboration with other organizations, both inside and outside the United Nations system, and to build up an atmosphere of confidence with local administrations. Food aid was normally provided to refugees as part of the repatriation and/or integration package, as was the case in WFP-supported refugee relief operations in Somalia, Afghanistan and Namibia, to cite only a few examples.

62. In programming food assistance to refugees, WFP had always collaborated with UNHCR, both in the field and at headquarters level. However, it should not be forgotten that all planning ultimately depended on the co-operation of donors: any failure by one or more of them to honour deadlines made it necessary to resort to makeshift solutions which were not always satisfactory. WFP had established excellent co-operation agreements with most donors as well as with recipient governments, and it was rare for crises not to be overcome. However, that did not mean that all crises could invariably be resolved. Refugee feeding was a unique operation in the sense that, unlike other recipients of food aid, refugees relied almost exclusively on external assistance, and hence breakdowns in supplies could not be tolerated.

63. In the course of the past 12 months, much had been said about inter-agency co-operation as a means of helping UNHCR to overcome its financial difficulties. WFP, for its part, had increased its support to refugees, not only as far as food supplies were concerned but also in funding internal transport, storage and handling costs (ITSH). ITSH costs funded by WFP during 1990 and 1991 were expected to reach some $26 million (A/AC.96/756, para. 18). ITSH costs for refugee food, funded by donors through WFP between 1 January 1988 and 30 September 1990 had amounted to $27 million. Out of that total, almost $12 million had been paid direct by WFP to transport contractors. WFP would be continuing its efforts in that direction.

64. WFP had taken note of the comments by several members of the Committee and the Sub-Committee calling on it to play a greater part in mobilizing food resources and meeting the costs of food transportation. It was expected that the task force document that was to form the basis of an understanding between the Executive Director of WFP and the High Commissioner would be ready before the end of the year, in time for final consultations and discussions with donors. It was of course essential for any agreement involving a change in responsibilities with regard to food relief to refugees to be fully backed by the donors who provided funds to both organizations. The constant increase in the numbers of refugees, which was only partly offset by hopes of permanent solutions for some of the current caseloads, gave cause for the greatest concern, and it would be crucial to arrive at a clear understanding with donors on the responsibilities of each party.

65. In conclusion, he expressed the Programme's gratitude to donors, refugee host countries and UNHCR for the support and co-operation they had given it in fulfilling its extremely delicate task namely the channelling of the bulk of the food aid required for the survival of refugees.

66. Mr. ACHE (Chairman, UNHCR Staff Council) said that, despite the continuation of the dialogue between the High Commissioner and the Staff Council, the priority given to staff retrenchment in the course of the past year had hindered progress towards a solution of the serious problems facing UNHCR staff. The Administration should as a matter of urgency formulate and implement a comprehensive approach to career development, and should also address the issue of recourses, following the General Service reclassification exercise carried out at Headquarters in 1988. It was regrettable that posts should have been reclassified without any consultation with an organization of comparable status, and that they should have been filled without having been advertised, which was contrary to the regulations. An equitable and transparent rotation policy should also be adopted in filling posts, including posts at the highest level.

67. The Council also deplored the fact that staff had not been informed of the steps taken by the Administration on the core/temporary categorization issue. In that connection, it was important to deal with the question of staff in the project personnel (L) category. All those problems, which had been outlined in the document submitted the previous week to the Sub-Committee on Administrative and Financial Matters had, unfortunately, not been given the attention they deserved at the current session. It was to be hoped, however, that the Administration would take them into consideration and would take the necessary measures.

68. The financial crisis was having disastrous effects on the morale and work of staff members, particularly those in isolated field offices who were constantly being urged to cut costs, with the result that their ability to take action was restricted. Efforts should therefore be made to make sufficient funds available for such staff to do their job, namely, aiding refugees who would otherwise have to endure even greater sufferings.

69. Staff in the General Service and related categories made up more than 75 per cent of all UNHCR staff. Many of them were doing remarkable work, and they bore heavy responsibilities which were not reflected in their grades and categories. It was therefore essential for steps to be taken to enhance their career prospects and to reward their dedication. The Secretary-General had recently decided to set up a group to study conditions of service of General Service staff in the United Nations Secretariat, and UNHCR would be well advised to do the same as a matter of urgency.

70. The situation of women in UNHCR also left much to be desired. In the report submitted to the Administration and to the Staff Council, the permanent working group on the subject had outlined the methods needed to be taken to attain a more equitable representation of female staff in the organization. In particular, it had recommended that the target of 30 per cent women in the professional and higher categories set by the Secretary-General should be met as soon as possible, and that the aim should be eventually to achieve a minimum representation of 50 per cent in all categories. The report had not yet been approved, but the Staff Council would like to express its appreciation to the High Commissioner for what had already been done in that area. However, promotions would still not be sufficient to meet the 30 per cent target; and further measures should be taken, on the understanding that competence was always the paramount consideration.

71. As to promotions in general, the Staff Council welcomed the steps taken by the High Commissioner to solve the problem expeditiously. Many staff members had finally been granted the promotions long due to them. Some inequities had thus been redressed, but a considerable number of cases had still not been resolved. The Staff Council therefore urged the High Commissioner to do all he could to ensure that a satisfactory solution was found for all deserving cases.

72. On the question of staff-management relations, the Staff Council welcomed the establishment of the Joint Advisory Committee in May 1990. The Committee had dealt mainly with the question of staff retrenchment, and it was still too early to judge its real effectiveness. Staff and management should work in partnership, with the emphasis on communication, consultation and transparency, and it was to be hoped that the dialogue would lead to concrete results.

73. Lastly, the Staff Council supported the High Commissioner's six-pillar strategy for resolving UNHCR's financial crisis. He appealed to the international community to make the necessary resources available to the High Commissioner to enable him to discharge his responsibilities effectively. UNHCR staff would do their utmost to enable the Office to carry out its mission, which was to aid and protect 15 million refugees world-wide.

ADOPTION OF THE REPORT OF THE SUB-COMMITTEE ON ADMINISTRATIVE AND BUDGETARY MATTERS (A/AC.96/759)

74. The CHAIRMAN drew attention to an error in the penultimate line of paragraph 54: the word "storage" should be substituted for "shipping".

75. The report of the Sub-Committee on Administrative and Budgetary Matters was adopted.

ADOPTION OF THE DOCUMENT ENTITLED "UNHCR ACTIVITIES FINANCED BY VOLUNTARY FUNDS: REPORT FOR 1989-90 AND PROPOSED PROGRAMME AND BUDGET FOR 1991" (A/AC.96/751 (Parts I to V and Add.1)

Part I. Africa

76. Mr. BWAKIRA (Head of the Regional Bureau for Africa), in reply to the question raised by the representative of Sudan, said that although the figure quoted in the report for refugees in Sudan might seem to be an underestimate, that was because it did not include spontaneously settled refugees. In future, persons in that category would be taken into account in the statistics. With regard to refugees receiving UNHCR assistance, the figure included some 35,000 Ethiopians who were receiving indirect aid as a result of improvements in services (health, education, hygiene, etc.). As far as allocations for 1991 were concerned, the question had been discussed in bilateral consultations between UNHCR and the Sudanese delegation, and a programming mission would shortly be sent to Sudan to investigate the situation.

77. As to the comments made by the representative of Germany, further to consultations with the Ethiopian Government, WFP and UNHCR had decided to send an independent mission to Ethiopia to look into logistical refugee assistance operations and to advise those concerned on the best solutions. Concerning Germany's contribution of $2.2 million, consultations would very shortly be held with the German Government to consider how it could best be utilized.

78. Part I of document A/AC.96/751 was adopted.

Part II. Asia and Oceania

79. Mr. ANVAR (Head of the Regional Bureau for Asia and Oceania), in reply to the comments made by the representative of Australia, agreed that efforts to facilitate the repatriation of Vietnamese refugees should be intensified. Admittedly, UNHCR's financial crisis was a serious obstacle, but a number of ways of overcoming it were being considered.

80. Part II of document A/AC.96/751 was adopted.

Part III. Europe and North America

81. Part III of document A/AC.96/751 was adopted.

Part IV. Latin America and the Caribbean

82. Mr. FRANCO (Head of the Regional Bureau for Latin America and the Caribbean) said that, although the refugee situation in South America showed a marked improvement, the political fragility of that continent and the economic and social difficulties it faced meant that many problems still had to be solved. The return of refugees gave rise to further problems, and UNHCR's efforts should be backed up by assistance from other bodies, such as UNDP and non-governmental organizations, as well as by bilateral support.

83. Part IV of document A/AC.96/751 was adopted.

Part V. South-West Asia, North Africa and the Middle East and overall allocations

84. Mr. MORJANE (Head of the Regional Bureau for South-West Asia, North Africa and the Middle East), expressed the hope that a political settlement of the problems now being encountered in the region would lead to durable solutions.

85. Part V of document A/AC.96/751 was adopted.

The meeting rose at 1.05 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-first session

SUMMARY RECORD OF THE 460th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 5 October 1990, at 10 a.m.

Chairman: Mr. AZIKIWE (Nigeria)

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The meeting was called to order at 10.40 a.m.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-SECOND SESSION OF THE EXECUTIVE COMMITTEE (agenda item 6) (A/AC.96/XLI/CRP.8)

1. The CHAIRMAN said that, if there were no objections, he would take it that the Executive Committee decided to approve the provisional agenda for its forty-second session.

1. The provisional agenda was approved.

ANY OTHER BUSINESS (agenda item 7)

Applications by delegations of observer Governments for participation in informal and sub-committee meetings of the Executive Committee in 1991 (A/AC.96/XLI/CRP.6)

3. The CHAIRMAN said that Guatemala should be added to the list of observer Governments which had applied to participate in informal and sub-committee meetings of the Executive Committee in 1991. If there were no objections, he would take it that the Executive Committee approved the list.

4. It was so decided.

ADOPTION OF THE DRAFT REPORT OF THE FORTY-FIRST SESSION (agenda item 8) (A/AC.96/XLI/CRP.7)

5. Mr. D'ALOTTO (Rapporteur) said that the draft report had been prepared following consultations held in a spirit of compromise and co-operation. He thanked the Friends of the Rapporteurs, the representatives and the secretariat for their valuable assistance, and expressed the hope that the draft report would be adopted by consensus.

Paragraphs 1 to 19

6. Paragraphs 1 to 19 were adopted.

Paragraph 20

7. Mr. WALDEN (Israel) expressed a reservation concerning the words "including a large number of Palestinians" in the seventh section of paragraph 20, and asked that the reservation should be noted in the report.

8. The CHAIRMAN said the request would be dealt with.

9. Mr. LUMBANGA (United Republic of Tanzania) suggested the insertion of a new section after the third section of paragraph 20. The addition, which had been drafted in consultation with the representative of Australia, would read:

"Notes with concern that in certain instances, specific activities by some refugees have been incompatible with national security interests and, in this context, reconfirms its conclusion 48 (XXXVIII) on military or armed attacks on refugee camps and settlements, in particular its paragraph 4 (a);".

10. Paragraph 20 was adopted as amended.

Paragraphs 21 to 25

11. Paragraphs 21 to 25 were adopted.

12. Mr. LE LUONG MINH (Observer for Viet Nam), referring to paragraph 25, proposed the addition of a phrase at the end of the section beginning with the words "Welcomes the decision of the Secretary-General", to read: "and to co-ordinate the provision of humanitarian and economic assistance to the areas to which returns take place".

13. Following a discussion in which the representatives of Australia, Germany, the United Kingdom, Viet Nam, and United States of America and Sweden took part, and during which the representative of the United States of America asked whether the delegation of an observer country could submit amendments to the draft report, the CHAIRMAN suggested that the secretariat should be entrusted with the task of making appropriate changes in paragraph 25 in order to reflect the proposals and suggestions that had been made.

14. It was so decided.

Paragraphs 26 and 27

15. Paragraphs 26 and 27 were adopted.

Paragraph 28

16. Mr. AL SAYED JALAL (Suden) suggested that the English version of the penultimate section of the paragraph should be modified to begin "Invites the host countries to continue to pursue measures ...".

17. Paragraph 28, as amended, was adopted.

Paragraphs 29 and 30

18. Paragraphs 29 and 30 were adopted.

19. The draft report of the forty-first session of the Executive Committee (A/AC.96/XLI/CRP.7) as a whole, as amended, was adopted.

CLOSING OF THE SESSION (agenda item 9)

20. Mr. ABRAM (United States of America) said that the present session of the Executive Committee had been particularly satisfactory since the Committee had approved the 1991 budget, framed useful conclusions on international protection and on administrative and financial matters and adopted a long-overdue document on refugee women.

21. Yet fundamental questions remained. Since the adoption of the 1951 Convention on Refugees, the world had changed radically and mass movements of people had increased exponentially. Only a portion of the new migrants were refugees under the 1951 Convention. Today's migrants could, it seemed, be grouped in three broad categories. The first was composed of refugees in the sense of the 1951 Convention. The second, much larger group was made up of those seeking a better economic life. Those were the people who had settled America. Today, many factors swelled their numbers. On the one hand, emigration barriers were falling in many countries, although the right to leave did not necessarily entail the corresponding right to enter another country. On the other hand, air travel had become very cheap and media networks covered the whole world, informing everyone of distant economic opportunities. Finally, there was the hydraulic pull of affluent societies which needed low-cost labour. In contrast to previous times, countries receiving economic migrants acknowledge obligations to them and provided an expensive social safety net. Those costs limited the numbers of economic immigrants that could be taken in by the rich countries, which were also obliged to cope with illegal immigration. Nevertheless, that had not prevented the United States, for example, from accepting more than 500,000 legal immigrants in 1990, together with 111,000 refugees.

22. The third category of migrants had a special claim to the protection of the international community. It was made up of people who had been forced to emigrate by circumstances beyond their control: war, insurrection, ethnic strife, human rights violations and drought, among others. In that category fell the 500,000-odd third country nationals who had been obliged to flee after Iraq's invasion of Kuwait. Although few of those migrants were refugees in the strict sense under the 1951 Convention, none could deny their right to international assistance.

23. Those factors highlighted the narrow focus of the 1951 Convention, which, though valuable, did not make it possible to deal with all refugee situations in the present-day world. A new, comprehensive and humanitarian approach must therefore be found to contemporary movements of people. For that purpose there was a need to craft international mechanisms that responded effectively and could inspire the confidence and support of international opinion.

24. The objective, of course, remained that of ending the conditions that drove people from their native lands by reducing conflict and restoring order. But that was not UNHCR's job. That, he thought, might be to seek pragmatic solutions to new problems. The international community's response to those fleeing Iraq was a good example; the response to the problems in

South-East Asia under the Comprehensive Programme of Action was another. While defending the integrity and singularity of the 1951 Convention, UNHCR could help catalyse the international community's thinking on those problems. In that area, the High Commissioner's initiatives were to be commended.

25. There was also a need to ask honestly and quickly what was the role of other organizations and how co-operation among elements of the United Nations could be improved. Countries of origin must address the root causes of migratory flows. Only if all countries co-operated would donor nations be determined to shoulder their share of the burden.

26. In conclusion, he paid tribute to Mr. Stoltenberg, who had steadfastly shouldered a terrible burden during a difficult year.

27. Mr. STOLTENBERG (United Nations High Commissioner for Refugees) thanked the Bureau, the secretariat and the staff of UNHCR for the smooth running of the session. He welcomed the consensus which had emerged on the UNHCR programme, which could not but fortify UNHCR in performing its task. He was also pleased that, for the first time, representatives from eastern and central Europe had participated in the discussions; such participation augured well for the future of the new Europe, and reflected the universal dimension of UNHCR's activities.

28. However, he recalled that the financial situation remained precarious, and urged all delegations to strive to ensure that the budget targets laid down at the special session in May were reached. He assured the participants that the rationalization of the secretariat's activities would continue. In particular, he would endeavour to reduce the volume of documents at the next session.

29. He had tried to present to the Executive Committee a two-phase strategy. At the May session, he had proposed action based on six major points to buttress UNHCR's finances; he was happy to note that many participants had taken up his proposals - an encouraging sign for the future. At the present session, he had made an effort to outline three major immediate activities - repatriation, asylum and the placing of the issue of refugees and migrations on the agenda of international political forums; the latter point fell in with the message just spelt out by the representative of the United States.

30. In conclusion, he said that the session now ending gave him grounds for hope, which alone could make it possible to achieve the objectives laid down.

31. The CHAIRMAN expressed appreciation that the Committee had completed the task assigned to it, and thanked all those who had contributed to the success of the session. He hoped that the spirit of co-operation displayed by all the participants would be sustained and enhanced in a concern for international solidarity and burden-sharing on the perennial problem of refugees.

32. He looked forward to a close working relationship with the Office of the High Commissioner. He stressed the crucial importance of the High Commissioner's proposal on an appropriate funding mechanism, and expressed the hope that with the good will and generosity of the international community, durable solutions could be found to the world's refugee problems.

33. The CHAIRMAN declared the forty-first session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees closed.

The meeting rose at 11.55 a.m.